



PATENT
5717-01601

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "FIBER OPTICAL DEVICES WITH HIGH POWER HANDLING CAPABILITY," the specification of which:

- ☐ is attached hereto.
☒ was filed on January 9, 2002 as Application Serial No. 10/042,935
 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below, or under § 365(a) of any PCT international application listed below designating least one country other than the United States of America, and have identified below any foreign application for patent or inventor's certificate, or of any PCT international application, having a filing date before that of the application on which priority is claimed.

<u>Prior Foreign Application No.</u>	<u>Country</u>	<u>Filing Date</u> (mm/dd/yy)	<u>Priority</u> <u>Claimed</u>	<u>Cert. copy</u> <u>Attached</u>
N/A				

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Provisional Application No.</u>	<u>Filing Date</u> (mm/dd/yy)
60/260,990	1/10/01

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below, or under § 365(c) of any PCT international application listed below designating the United States of America, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

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<u>Parent Application No.</u>	<u>Filing Date</u> <u>(mm/dd/yy)</u>	<u>Parent Patent No. (if applicable) or Status</u>
N/A		

I hereby revoke any previous Powers of Attorney and appoint

Joseph T. FitzGerald

Reg. No. 33,881

said attorney being employed by New Focus, Inc.; and

Mark K. Brightwell	Reg. No. 47,446
Brenna A. Brock	Reg. No. 48,509
Kevin L. Daffer	Reg. No. 34,146
Mark R. DeLuca	Reg. No. 44,649
Mollie E. Hamel	Reg. No. 48,405
Jeffrey C. Hood	Reg. No. 35,198
Robert C. Jahnke	Reg. No. 44,800
B. Noël Kivlin	Reg. No. 33,929
Robert C. Kowert	Reg. No. 39,255
Mark Lupkowski	Reg. No. 49,010
Lawrence J. Merkel	Reg. No. 41,191
Eric B. Meyertons	Reg. No. 34,876
Louise K. Miller	Reg. No. 36,609
Theresa A. Moorman	Reg. No. 46,941
David W. Quimby	Reg. No. 39,338
Rory D. Rankin	Reg. No. 47,884
David A. Rose	Reg. No. 26,223
Doug Shamah	Reg. No. 45,093

each of said attorneys or agents being a member or an associate of the firm of Conley, Rose & Tayon, P.C., as attorney or agent for so long as they remain with such company or firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent.

Please direct all communications to:

B. Noël Kivlin
Conley, Rose & Tayon, P.C.
P.O. Box 398
Austin, Texas 78767-0398
Phone: (512) 476-1400

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Yonglin Huang
Inventor's Signature: [Signature] Date: 3/27/2002
City and State (or Foreign Country) of Residence: Milpitas, California Citizenship: USA
Post Office and Residence Address: 518 Vista Spring Court, Milpitas, CA 95035
(Include number, street name, city, state and zip code)

Inventor's Full Name: Kevin Zhang
Inventor's Signature: [Signature] Date: 3/28/02
City and State (or Foreign Country) of Residence: Santa Clara, California Citizenship: USA
Post Office and Residence Address: 3560 Flora Vista Ave, Apt. 318, Santa Clara, CA 95051
(Include number, street name, city, state and zip code)

Inventor's Full Name: Ping Xie
Inventor's Signature: [Signature] Date: 4/11/2002
City and State (or Foreign Country) of Residence: San Jose, California Citizenship: USA
Post Office and Residence Address: 1272 Chessington Drive, San Jose, CA 95131
(Include number, street name, city, state and zip code)

FORM PTO-1595 U.S. DEPARTMENT OF COMMERCE
1-31-92RECORDATION FORM COVER SHEET
PATENTS ONLY

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Yonglin Huang
Kevin Zhang
Ping XieAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: New Focus, Inc.Street Address: 5215 Hellyer AvenueCity San Jose State CA ZIP 95138-1001Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

- ☒ Assignment
☐ Merger
☐ Security Agreement
☐ Change of Name
☐ Other _____

Execution Date: April 1, 2002

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of this application is:

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: B. Noel KivlinInternal Address: Conley, Rose & Tayon, P.C.Street Address: P.O. Box 398City Austin State TX ZIP 78767-03986. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41):\$ 40.00

- ☒ Fee Authorization Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number: 501505/5717-01601/BNK

(Attach a duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and Signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*B. Noel Kivlin
Name of Person Signing
Reg. No. 33,929
Signature4-12-02
DateTotal number of pages: 4

OMB No. 0651-011 (exp.4/94)

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ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to NEW FOCUS, INC. (the "Assignee"), a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having its principal place of business at 5215 Hellyer Avenue, San Jose, California 95138-1001, their entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, serial number 10/042,935, entitled FIBER OPTICAL DEVICES WITH HIGH POWER HANDLING CAPABILITY, filed on January 9, 2002, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

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COVENANT AND AGREE that the above is and will be binding on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) _____

Name: Yonglin Huang

Date: _____

3/27/2002

STATE OF CALIFORNIA §

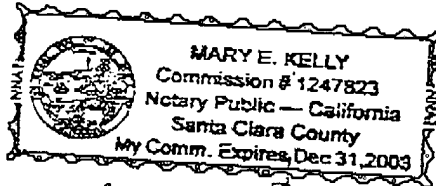
§

COUNTY OF Santa Clara §

BEFORE ME, the undersigned authority, on this 27th day of March, 2002, personally appeared Yonglin Huang, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Mary E. Kelly
Notary or Consular Officer

[SEAL]



(Signature) _____

Name: Kevin Zhang

Date: _____

3/28/02

STATE OF CALIFORNIA §

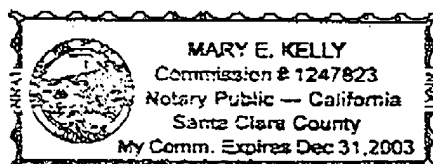
§

COUNTY OF Santa Clara §

BEFORE ME, the undersigned authority, on this 28th day of March, 2002, personally appeared Kevin Zhang, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Mary E. Kelly
Notary or Consular Officer

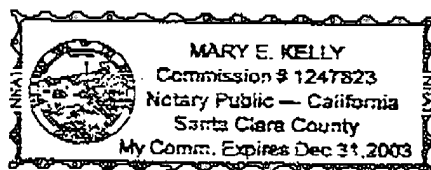
[SEAL]



PATENT
5717-01601(Signature) *Ping Xie*
Name: Ping XieDate: 4/1/2002STATE OF CALIFORNIA §
§
COUNTY OF Santa Clara §

BEFORE ME, the undersigned authority, on this 1st day of April, 2002, personally appeared Ping Xie, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]

*Mary E. Kelly*
Notary of Consular Officer

B. Noël Kivlin
Conley, Rose & Tayon, P.C.
P.O. Box 398
Austin, TX 78767-0398